

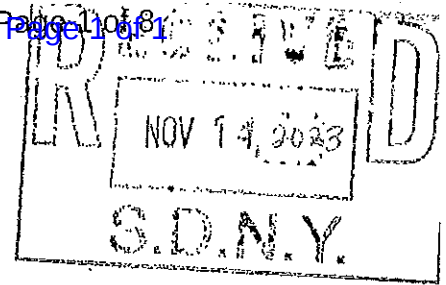
IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

ROBERT GEORGE,
Petitioner-Appellant,

v.

UNITED STATES OF AMERICA,
Respondent-Appellee.

Criminal Case No. 05-CR-249-TPG



INORDINATE DELAY

Comes Now the petitioner, Robert George, in pro se, in necessity, and hereby moves this court to issue a COA pursuant to 28 U.S.C. § 2253(c)(2). he herein seeks a COA authorizing him to appeal from Inordinate Delay of his 28 U.S.C. § 2255 Motion to Vacate Set Aside, or correct sentence. See Slack v. McDaniel, 529 U.S. 473, 484 (2000). Miller El v. Cockrell, 537 U.S. 322, 123 S.Ct. 1029, 154 L.Ed. 2d 931.

I. STATEMENT OF THE JURISDICTION

The jurisdiction to issue a C.O.A. is invoked pursuant to 28 U.S.C. § 2253 and 2255.

II. STATEMENT OF THE CASE

On October 16, 2023 Robert George filed his § 2255 as to this date there has been no action taken. The following is the time-line.

- 1). On October 16, 2023 Robert George filed a meritorious 28 U.S.C. § 2255 Motion to Vacate, Set Aside, or correct Sentence.
- 2). On November 03, 2023, the court has failed to respond thus causing an Inordinate Delay.
- 3). As of November 06, 2023, the government has failed to respond thus, causing a serious Inordinate Delay.
- 4). Since, the Court & the government has never responded the Notice of Appeal is being filed for a C.O.A..

A scheduling order was promptly entered on October 31, 2023 providing for an orderly briefing of the issues.

SO ORDERED
USDS
11-16-23

Mailed to Mr. George
11/16/2023

Motion for a Certificate of Appealability is DENIED. The section 2255 motion was filed on October 23, 2023 (ECF 31) relating to a judgment entered nearly 14 years ago.